

**ALL INDIA
BHARAT SANCHAR NIGAM LIMITED
EXECUTIVES' ASSOCIATION**

**Central Headquarters
New Delhi-110001**



**President
S. Sivakumar**
M. : 9486102121

E-mail : presidentaibsnlea@gmail.com

**General Secretary
Prahlaad Rai**

M. : 9868278222

E-mail : gsaibsnlea@gmail.com

**Financial Secretary
T. C. Jain**

M. : 9868188748

E-mail : tcjain_1957@yahoo.co.in

No. AIBSNLEA/Director (HR)/2016

Date: 21.07.2016

To,

**Mrs. Sujata Ray,
Director (HR/Finance),
BSNL Board,
New Delhi -110001.**

Subject: JTOs (Erstwhile Officiating JTOs) Service - reg

- Reference:**
1. JTO Recruitment Rules 1996
 2. Agreement entered into between the CMD, BSNL and the Unions On 2.01.2001
 3. Judgement No. OA 619/2009 dated 19.1.2010 and Review of this Judgement on 10.3.2016
 4. Judgement No. OA 278, 378/2013 dated 27.6.2013
 5. Letter No. 3-23/2013/Estt-V dated 22.12.2015 of the Corporate Office.

Respected Madam,

As per the JTO Recruitment Rules 1996, quota of 35% was fixed for TTAs who have passed internal test conducted by the Department for filling up the vacancies of JTOs. As such an internal test was conducted on 30.4.2000 and 6000 TTAs were declared qualified all over India. Subsequently, DOT became BSNL with effect from 1.10.2000. Consequent to this, as per reference (2) above, it was agreed to absorb those who have qualified in the test in BSNL service. As a result Group C&D employees who appear for any promotional examination whether direct or departmental and qualify in such examination/outside coming through direct recruitment process, would rank junior to all the other employees in the promotional cadre who had already been qualified in earlier examination even though they get absorbed in BSNL subsequently.

While the agreement was in force, BSNL started direct recruitment of JTOs as per 2001-JTO Rule. Only 50% posts were filled by external candidates. Declaration was obtained from them as stipulated in the above agreement. But during DOT period, those who had passed the test as per 1996 Rules were regularized from 2001 at the rate of 500 post per year. From the year 2004, those who had passed the test as per 1996 Rules were given training and made them officiating. Vacancies were filled by promoting the officiating JTOs at the rate of 500 per year. Following Kerala High Court's direction, pay of the officiating JTOs were fixed as per FR 22(1) (a) (i). Till 2007 the officiating JTOs were being regularized at the rate of 500 per year and a total of 3500 were promoted so far. The process of officiating the remaining 2500 was being continued.

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Internal recruitment was started in 2013 as per 2001 Rules. Most of the officiating JTOs were not eligible for participating in the test. Though there were eligible TTAs who had passed the test based on 1996 Rules, they were denied promotion and TTAs recruited by BSNL after 2003 were given promotion benefits. Vide Ref. (3) above, while implementing the 2nd IDA Pay revisions from 1.1.2007, officiating JTOs were granted pay at par with the regular JTOs.

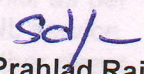
2014 JTO Rules were announced on 14.10.2015. As per these Rules, regularising officiating JTOs was started. However, as per Ref. (4), even though there were orders that the Officiating JTOs should not be reverted, they were reverted to substantive cadre, again given JTO training and started regularizing them as per Ref. (5) above. Further, action was initiated to curtail the pay being drawn by them. Even after enjoying FR. 22(1) (a) (i) fixation continuously for 11 years, the officiating JTOs were not granted NEPP or EPP during their service. JTO cadre fixation is being made afresh by ignoring the services of JTOs who have enjoyed 11 annual increments.

Based on JTO Rules 2014, internal test for 2013-14 year was conducted on 22.5.2016. It is seen that 2015-16 vacancies are utilized for regularizing the officiating JTOs. We are suffering this negligence for the past 15 years. Therefore, we request that a permanent solution to the problem may be made by resorting to regularize JTOs officiating period with FR 22(1) (a) (i) and grant grade promotion to them. We may emphasize that in view of the regularization being questioned in several Courts in India, the only resolution to this problem is to regularize the officiating period of JTOs. The Chennai and Mumbai CATs have made it clear that the officiating JTOs are eligible for regularization from 2000-2001 onwards.

It is requested that immediate action may kindly be taken on the matter.

With kind regards,

Yours Sincerely,


(Prahlad Rai)
General Secretary

Copy to:

1. The GM (Estt), BSNL Corporate Office, New Delhi for kind information & necessary action please.